

## LABOR SERVICES DIVISION[875]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 89.14, the Boiler and Pressure Vessel Board hereby gives Notice of Intended Action to amend Chapter 90, “Administration of the Boiler and Pressure Vessel Program,” and Chapter 91, “General Requirements for All Objects,” Iowa Administrative Code.

The proposed amendment to rule 875—90.1(89) excludes from regulation an object that was intended by the manufacturer to operate at 3 pounds per square inch or less if the object is in fact operating at 3 pounds per square inch or less. The proposed amendment to subrule 91.1(2) makes Iowa’s regulations current with the most recent developments regarding American Society of Mechanical Engineers’ code stamps.

The purposes of these amendments are to update the rules and implement legislative intent.

If requested in accordance with Iowa Code section 17A.4(1)“b” by the close of business on September 25, 2012, a public hearing will be held on September 26, 2012, at 9 a.m. in the Capitol View Room, 1000 East Grand Avenue, Des Moines, Iowa. Interested persons will be given the opportunity to make oral statements and file documents concerning the proposed amendments. The facility for the oral presentations is accessible to and functional for persons with physical disabilities. Persons who have special requirements should call (515)281-5915 in advance to arrange access or other needed services.

Written data, views, or arguments to be considered in adoption shall be submitted by interested persons no later than September 26, 2012, to the Division of Labor Services, 1000 East Grand Avenue, Des Moines, Iowa 50319-0209. Comments may be sent electronically to [kathleen.uehling@iwd.iowa.gov](mailto:kathleen.uehling@iwd.iowa.gov).

After analysis and review of this rule making, a positive impact on jobs could exist. These amendments limit regulation on objects with extremely low pressure.

These amendments are intended to implement Iowa Code chapter 89.

The following amendments are proposed.

ITEM 1. Amend rule 875—90.1(89) as follows:

**875—90.1(89) Purpose and scope.** These rules institute administrative and operational procedures for implementation of Iowa Code chapter 89. An object shall not be considered “under pressure” and shall not be within the scope of Iowa Code chapter 89 when there is clear evidence that the manufacturer did not intend it to be operated at more than 3 psi and the object is operating at 3 psi or less.

ITEM 2. Amend subrule 91.1(2) as follows:

**91.1(2) ASME code cases.** If the manufacturer of an object listed ASME Code Case 2529, 2568, 2571, ~~or 2571-1~~, 2710, or 2714 on the manufacturer’s data report for the object and the object is otherwise in compliance with all applicable provisions, the object is in compliance with these rules.